

Chapter 6.15 PEDDLERS

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6.15.010 Purpose.

A. The purpose of this chapter is to define the activity of peddling and to authorize the imposition of lawful conditions designed to protect the public welfare and safety. The city council finds that the permit requirements in this chapter are narrowly drawn to foster residential privacy and crime prevention.

B. The city council finds unregulated peddling a nuisance because such activity may intrude upon residents' privacy causing them apprehension, and provide access to private property for criminal purposes. (Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.1)

6.15.020 Definitions.

As used in this chapter:

Peddler means any person who travels from door to door, house to house, or place to place, in order to enter uninvited upon residential property, with the object of selling, offering for sale, or soliciting subscriptions, contracts, or orders for any food, wares, merchandise, or real or personal property, or with the object of offering business services to be performed now or in the future. (Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.2)

6.15.030 Permit required.

It is unlawful for any person 16 years or older to operate as a peddler without first obtaining the required permit pursuant to this chapter. The permit shall be nontransferable. It shall be issued by the director of finance and shall be carried at all times during which the person is operating as a peddler. It shall be promptly displayed at the request of any resident or city official. (Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.3)

6.15.040 Group permit.

Any organization or group of two or more persons may be issued a group peddler's permit. The members then need not obtain individual permits, although

they must carry identification cards provided by the city when peddling. The organization must complete an application providing the required information for each member wishing to peddle. The director of finance shall then review the application, and may refuse issuance or revoke it, on the same basis provided for individual permits. (Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.4)

6.15.050 Nonprofit exemption.

Neither nonprofit organizations nor their members are required to obtain a peddler's permit in order to engage in peddling activities on behalf of the nonprofit organization. (Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.5)

6.15.060 Permit issuance.

A. Every person who wishes to operate as a peddler shall file a written application with the director of finance setting forth the following information:

1. Name, birth date and personal description;
2. Home and business address;
3. Nature of business and peddling activity;
4. Name and address of the organization applicant represents, if any, and whether applicant is employed by the organization;
5. Length of time for which the permit is requested;
6. Location where the applicant will be peddling; and
7. Business license number of the applicant or the organization he or she represents.

B. Applicant shall also be required to submit a photograph of himself or herself and to pay a reasonable application processing fee to be established by resolution.

C. Upon receipt of the application, the director of finance shall initiate a background investigation of the applicant. Upon completion, the director of finance shall promptly issue applicant a permit unless he or she determines that:

1. Information provided in the application was not true or complete;
2. The applicant was convicted within the last two years of a felony involving dishonesty, fraud or deceit, or any crime involving violence; or
3. The applicant is restricted in his or her general contact with the public by a parole or judicial officer.

D. The permit shall be valid for up to one year as determined by the director of finance, and shall be subject to the following conditions:

1. Upon observation of a sign stating in substance that no peddlers, solicitors or canvassers are allowed, a peddler shall immediately leave the premises; and

2. No peddler shall enter uninvited upon residential property after dark. (Amended during 2005 recodification; Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.6)

6.15.070 Permit revocation.

A. The director of finance may revoke a peddler's permit upon finding that the permittee:

1. Committed fraud or misrepresentation while peddling;
2. Knowingly made a false statement on the application;
3. Engaged in unlawful activity, or activity that constituted a nuisance, while peddling;
4. Violated a provision of this code.

B. The person whose permit is revoked shall be given written notice and an opportunity to reply to the finance director before any revocation is effective. (Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.7)

6.15.080 Appeal – Hearing.

A. A person aggrieved by the decision of the director of finance may appeal the decision to the city council by filing with the city clerk a written notice of appeal within 10 days after being notified of the decision. Filing of the notice of appeal shall not operate as a stay of revocation of a permit.

B. The city council shall hear the appeal as soon as possible, and shall render its decision within 30 days thereafter. The city council's decision shall be final. (Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.8)

6.15.090 Updating information.

During the life of a permit under this chapter, the permittee shall update, in writing and under oath, the applicable information required herein, within seven calendar days of the time said information changes. (Ord. 643 § 1, 1990; Ord. 576 § 1, 1985; 1991 code § 6-20.9)